~~Indicates Matter Stricken~~

Indicates New Matter

AS PASSED BY THE SENATE

April 23, 2013

**S. 308**

Introduced by Senators Bennett, Shealy, Grooms, Hembree, L. Martin, Massey, Campbell, Turner, Thurmond, Bryant, Verdin, S. Martin, Davis, Bright and Corbin

S. Printed 4/23/13--S.

Read the first time January 29, 2013.

**A** **BILL**

TO AMEND SECTION 16‑23‑465 OF THE 1976 CODE, RELATING TO THE CARRYING OF A CONCEALED WEAPON IN A BUSINESS THAT SELLS ALCOHOL TO BE CONSUMED ON THE PREMISES, TO PERMIT THE POSSESSION OF A WEAPON UNLESS NOTICE OF A PROHIBITION IS PROVIDED BY THE BUSINESS, TO PROHIBIT THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN A BUSINESS BY SOMEONE CARRYING A FIREARM, AND TO REDUCE THE PENALTIES FOR VIOLATIONS.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16‑23‑465 of the 1976 Code is amended to read:

“Section 16‑23‑465. (A) In addition to the penalties provided for by Sections 16‑11‑330, 16‑11‑620, ~~and~~ 16‑23‑460, 23‑31‑220, and ~~by~~ Article 1, ~~of~~ Chapter 23, ~~of~~ Title 16, a person convicted of carrying a ~~pistol or~~ firearm into a business which sells alcoholic liquor, beer, or wine for consumption on the premises is guilty of a misdemeanor, and, upon conviction, must be fined not more than ~~two~~ three thousand dollars or imprisoned not more than three years, or both.

In addition to the penalties described above, a person who violates this section while carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, must have his concealed weapon permit revoked for a period of five years.

(B)(1) This section does not apply to a person carrying a concealable weapon pursuant to and in compliance with Article 4, Chapter 31, Title 23 between the hours of 5:00 a.m. and midnight; however, the person shall not consume alcoholic liquor, beer, or wine while carrying the concealable weapon on the business’ premises and shall not enter and remain on any portion of the business’ premises primarily devoted to the service and consumption of alcoholic liquor, beer, or wine. A person who violates this subitem may be charged with a violation of subsection (A).

(2) A business owner or person in legal possession or control of a business may prohibit the carrying of concealable weapons into the business by posting a ‘NO CONCEALABLE WEAPONS ALLOWED’ sign in compliance with Section 23‑31‑235. A person who carries a concealable weapon into a business with a sign posted in compliance with Section 23‑31‑235 may be charged with a violation of subsection (A).

(3) A business owner or person in legal possession or control of a business may request that a person carrying a concealable weapon leave the business’ premises, or any portion of the premises, or request that a person carrying a concealable weapon remove the concealable weapon from the business’ premises, or any portion of the premises. A person carrying a concealable weapon who refuses to leave a business’ premises or portion of the premises when requested or refuses to remove the concealable weapon from a business’ premises or portion of the premises when requested may be charged with a violation of subsection (A).”

SECTION 2. This act takes effect upon approval by the Governor.

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